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**ROAN ATTACKED IN FRANK
APPEAL**

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BRIEFS

FOR

FINAL LIFE BATTLE READY

Trial Judge Termed
“Vacillating”

by Defense Attorneys— Hear- ing Likely to Start Monday.

Severe criticism is made of Judge L. S. Roan for certain phases of his conduct of the trial of Leo M. Frank and for his refusal to grant a new trial, even though he himself had doubt as to the defendant's guilt, in the brief and argument prepared by Frank's lawyers to be presented to the Supreme Court of Georgia next Monday.

The document was received from the printers Thursday. The brief of evidence, another bulky document, will be completed Thursday afternoon. The attorneys for the defense will exchange briefs with Solicitor Hugh M. Dorsey later in the day and all of the lawyers concerned in the famous case will be ready to re-engage in a bitter legal battle which had its beginning on July 26, when Frank's trial was started.

Judge Roan Criticized.

Judge Roan is characterized in the printed arguments of the attorneys as "vacillating" in his conduct of the trial at many times, and his action in refusing a new trial is described as indefensible, in view of his openly expressed doubt of Franks guilt.

The argument on this particular phase of the appeal to the Supreme Court concludes with numerous legal citations designed to show that Judge Roan was shirking a plain duty when he refused to take the burden of a decision in the matter. Several of the citations quote the Supreme Court as saying that when the

trial judge is assailed with doubts as to the justice of the verdict there is no course open to him but to grant a new trial.

The documents which are to be submitted to the Supreme Court are said by lawyers to be the most voluminous ever filed In Georgia in an appealed case.

600 Pages in Brief.

The brief of evidence alone consists of about 600 large pages with type of ordinary size.

The arguments and narration of the facts of the case consume another 289 pages, and the original motion for a new trial, the amended motion and the judge's charge make up another book of 159 pages. The total is approximately 1,100 printed pages.

The case of Frank vs. the State is listed eighteenth on the calendar of the Supreme Court and will be reached Monday, in all probability the others being mostly cases from other parts of the State, which will not be argued except through the briefs submitted.
